

SENATE AMENDMENTS

2nd Printing

By: Dutton

H.B. No. 2138

A BILL TO BE ENTITLED

AN ACT

relating to the boundaries of the Near Northside Management District and to coordination by the district with other entities in providing projects and services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2, Chapter 358, Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

Sec. 2. BOUNDARIES. The Near Northside Management District initially includes all the territory contained in the following area:

In Harris County, Texas, the territory enclosed by Loop 610 as the north boundary, Lockwood Dr. as the east boundary, Buffalo Bayou [~~Interstate 10~~] as the south boundary, and Jensen Dr. as the west boundary.

SECTION 2. Subchapter C, Chapter 3807, Special District Local Laws Code, is amended by adding Section 3807.1041 to read as follows:

Sec. 3807.1041. COORDINATION WITH NEAR NORTHSIDE MANAGEMENT DISTRICT. In determining the improvement projects or services the district provides in an area that is located also within the boundaries of the Near Northside Management District, the district shall coordinate its efforts with the efforts of the Near Northside Management District to achieve governmental efficiency and avoid duplication of improvement projects or

1 services. The district may not duplicate an improvement project or
2 service that the Near Northside Management District provides in the
3 same territory.

4 SECTION 3. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

11 (b) The governor, one of the required recipients, has
12 submitted the notice and Act to the Texas Commission on
13 Environmental Quality.

14 (c) The Texas Commission on Environmental Quality has filed
15 its recommendations relating to this Act with the governor,
16 lieutenant governor, and speaker of the house of representatives
17 within the required time.

18 (d) The general law relating to consent by political
19 subdivisions to the creation of districts with conservation,
20 reclamation, and road powers and the inclusion of land in those
21 districts has been complied with.

22 (e) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act have been
25 fulfilled and accomplished.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

H.B. No. 2138

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.

ADOPTED

FLOOR AMENDMENT NO. 1 / MAY 20 2013

BY:

Rodney Ellis

Atay Spaw
Secretary of the Senate

Amend H.B. No. 2138 (senate committee report) as follows:

(1) Strike SECTION 2 of the bill, adding Section 3807.1041, Special District Local Laws Code.

(2) Add the following appropriately numbered SECTION to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 3905, Special Districts Local Laws Code, is amended by adding Section 3905.009 to read as follows:

Sec. 3905.009. OVERLAPPING TERRITORY. (a) If territory in the district overlaps with the boundaries of another district created before June 17, 2011, that has the powers of a district created under Chapter 375, Local Government Code, the overlapping territory is excluded from the territory of the district that was created first, regardless of whether the territory overlapped on June 17, 2011.

(b) The exclusion of territory under this section does not diminish or impair the rights of the holders of any outstanding and unpaid bonds, warrants, or other district obligations. The district that was created first shall continue to impose fees, taxes, or assessments, if any, on the excluded territory at the same rate imposed on other territory in the district until the total amount of fees, taxes, or assessments collected from the excluded territory equals its pro rata share of the indebtedness of the district at the time the territory was excluded. All fees, taxes, or assessments collected in the excluded territory by the district that was created first shall be applied to the payment of the excluded territory's pro rata share of indebtedness. The owner of all or part of the excluded territory

1 at any time may pay in full the owner's share of the excluded
2 territory's pro rata share of the indebtedness at the time the
3 territory was excluded.

4 (c) If the district that was created first does not have
5 any outstanding and unpaid bonds, warrants, or other district
6 obligations, but imposes assessments under an assessment plan
7 adopted before May 1, 2013, the district may continue to impose
8 those assessments on the excluded territory at the same rate
9 imposed on other territory in the district to satisfy the
10 requirements of that assessment plan. All assessments collected
11 in the excluded territory by the district that was created first
12 shall be applied to satisfy the requirements of the assessment
13 plan.

FLOOR AMENDMENT NO. 2

ADOPTED

BY: Rodney Allen

MAY 20 2013

Atty. Gen.
Secretary of the Senate

1 Amend H.B. No. 2138 (senate committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Subchapter B, Chapter 3905, Special District
5 Local Laws Code, is amended by amending Sections 3905.051 and
6 3905.056 to read as follows:

7 Sec. 3905.051. GOVERNING BODY; TERMS. The district is
8 governed by a board of twelve [nine] directors who serve
9 staggered terms of three years, with four [three] directors'
10 terms expiring June 1 of each year.

11 Sec. 3905.056. INITIAL DIRECTORS. (a) The initial board
12 consists of:

Pos. No.	Name of Director
1	Ethel Kaye Lee
2	Rose Russell
3	Michael Ashley
4	Dr. Albert Lemon
5	Earl White
6	Ann Tillis
7	John Fields
8	Harvey Clemons
9	Renee Llorens
<u>10</u>	<u>Rosalind Malveaux</u>
<u>11</u>	<u>Jeremy Brown</u>
<u>12</u>	<u>Jarrett Leland</u>

13 (b) Of the initial directors, the terms of directors
14 serving in positions 1, 2, and 3 expire June 1, 2013, the terms
15 of directors serving in positions 4, 5, [and] 6, and 10 expire
16 June 1, 2014, [and] the terms of directors serving in positions

1 7, 8, [and] 9, and 11 expire June 1, 2015, and the term of the
2 director serving in position 12 expires June 1, 2016.

3 (c) Section 3905.052 does not apply to the initial
4 directors.

5 (d) This section expires September 1, 2016 [2015].

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 20, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2138 by Dutton (Relating to the boundaries of the Near Northside Management District and to coordination by the district with other entities in providing projects and services.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2138** by Dutton (Relating to the boundaries of the Near Northside Management District and to coordination by the district with other entities in providing projects and services.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 13, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee On Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2138 by Dutton (Relating to the boundaries of the Near Northside Management District.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP